

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:11cv306**

| | | |
|---------------------------------|---|---------------------|
| MELISSA ALVAREZ, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | <u>ORDER</u> |
| |) | |
| WELLS FARGO BANK, N.A., |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

THIS MATTER is before the Court on the Plaintiffs' Motion to Dismiss Without Prejudice [Doc. 20].

On June 6, 2012, the Court entered an Order severing the claims of the Plaintiffs in this matter and giving the Plaintiffs thirty (30) days to refile their severed claims as individual cases or to seek dismissal of their claims. [Doc. 16]. Upon motion of the Plaintiffs, the Court later extended the deadline for taking such action until August 6, 2012. [Doc. 19].

On August 6, 2012, Plaintiffs Melissa Alvarez, Arthur Anders, Linda Anders, Jamie Barnard, Scott Clements, Nicole Clements, Chris S. Fiorenzi, Rina A. Fiorenzi, William C. Gattoni, Deborah A. Gattoni, Joseph P. Grusser, Katherine V. Grusser, Edward R. Hochstadter, Jr., Dara Hochstadter, Braham Horwitz, Diane Horwitz, Harry D. Jones, Harriet G. Jones, Michael Lavigna,

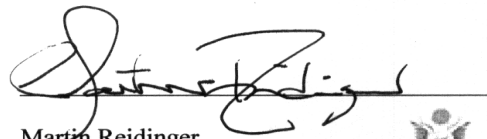
Heather J. Lavigna, and Mark Zurawel filed the present motion seeking the dismissal of their claims without prejudice. [Doc. 20]. Counsel for the Defendant has advised the Court's chambers that the Defendant does not oppose the Plaintiffs' Motion.

For the reasons stated in the Motion, the Court will allow these Plaintiffs to dismiss their claims in this action without prejudice.

IT IS, THEREFORE, ORDERED that the Plaintiffs' Motion to Dismiss [Doc. 20] is **GRANTED**, and the claims of Plaintiffs Melissa Alvarez, Arthur Anders, Linda Anders, Jamie Barnard, Scott Clements, Nicole Clements, Chris S. Fiorenzi, Rina A. Fiorenzi, William C. Gattoni, Deborah A. Gattoni, Joseph P. Grusser, Katherine V. Grusser, Edward R. Hochstadter, Jr., Dara Hochstadter, Braham Horwitz, Diane Horwitz, Harry D. Jones, Harriet G. Jones, Michael Lavigna, Heather J. Lavigna, and Mark Zurawel are hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Signed: August 8, 2012



Martin Reidinger
United States District Judge

